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IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEVADA

THE MOAPA BAND OF PAIUTE  
INDIANS, a federally recognized Tribe of  
Indians,

and

SIERRA CLUB, a California non-profit corporation,

Plaintiffs,

VS.

NEVADA POWER CO., d/b/a NV  
ENERGY,

and

CALIFORNIA DEPARTMENT OF  
WATER RESOURCES,

Defendants.

**JOINT MOTION FOR ADDITIONAL TIME TO SUBMIT  
PROPOSED SETTLEMENT DOCUMENTS**

Plaintiffs the Moapa Band of Paiute Indians (the “Moapa”) and Sierra Club, along with Defendants Nevada Power Company (“NPC”) and the California Department of Water Resources (“CDWR”) (collectively, the “Parties”), jointly request that the Court permit the parties fourteen (14) additional days to submit proposed settlement documents to the Court. In support of this motion, the parties submit the

1 following:

2 (1) Following the May 28, 2015, settlement conference the parties reached an  
3 agreement in principle to settle this matter, which remained subject to drafting of terms  
4 and conditions.

5 (2) By minute entry dated May 29, 2015 the Court told the parties to submit a  
6 settlement draft by June 12, 2015, and a motion for approval of settlement agreement by  
7 August 14, 2015. These dates took into account that with respect to Clean Water Act  
8 claims the Department of Justice and the Environmental Protection Agency must be  
9 provided notice of the proposed settlement and the settlement may not be approved until  
10 45 days from the date of that notice.

11 (3) The terms and conditions necessary to finalize the settlement proposal  
12 include relatively complex provisions relating to the structure for a potential purchase of  
13 water rights by the Moapa tribe, as well as other conditions of the proposed settlement.  
14 The parties have exchanged drafts of proposed language, but have not reached  
15 agreement on language. In addition, each party is undergoing an internal decision-  
16 making and review process to obtain approval of final terms and conditions. The parties  
17 will act expeditiously, but these processes require more time.

18 (4) Consequently, the Parties request the Court to extend the deadline for  
19 submittal of the draft settlement by fourteen (14) days, or until June 26, 2015. The  
20 parties also propose at that time to submit a motion to approve the settlement along with  
21 a proposed order, with the required notification to the Court that Court may not act upon  
22 the motion until the 45-day notice period had elapsed. The parties therefore submit that  
23

a separate date to set a motion to submit is not necessary.

Respectfully submitted this 11th day of June, 2015.

s/ Robert B. Wiygul

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*Counsel for Defendant California  
Department of Water Resources*

IT IS SO ORDERED.  
Dated: June 12, 2015

  
United States Magistrate Judge